

REMARKS

Claims 1-31 were pending in the application. Claims 1-10 and 19 have been amended. Claim 96 has been added. Claims 1-31 and 96 are currently pending in the application. The present amendment is submitted with a request for continued examination (RCE), and thus entry of the claim amendments is respectfully requested.

35 U.S.C. § 102 and §103 Rejections:

Claims 1-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Luke, U.S. Patent 6,505,267. Applicant respectfully traverses this rejection.

With respect to the § 102 rejection, **the cited reference fails to teach or suggest all of the elements of the independent claims.** With respect to the § 103 rejections, **the prior art references, taken singly or in combination, fail to teach or suggest all of the elements of the independent claims.** Independent claim 1 recites, in pertinent part:

An SMBus host controller comprising:

an SMBus interface; and

an SMBus message handler including:

a memory storing microcode comprising at least two programs each for handling a bus command protocol, each program comprising at least one instruction ...

a finite-state machine configured to receive and interpret the instructions read by said instruction fetch unit and manage the data transfer between the SMBus interface and a register set in compliance with said instructions read from said memory. (Emphasis added).

Independent claims 10 and 19 recite similar combinations of features. In the advisory action, the Examiner addressed the arguments from the response to the final office action,

finding them unpersuasive. Applicant respectfully disagrees with the Examiner's counterarguments. Thus, in addition to the reasons stated in the previous office action response, Applicant submits that the claims are allowable for the following additional reasons.

As noted in the final office action response Luke is directed to a Universal Serial Bus (USB) peripheral bridge. Amended claim 1 is directed to an SMBus host controller that includes an SMBus interface. Luke does not teach or suggest an SMBus host controller **that includes** an SMBus interface. In fact, Luke makes no mention whatsoever the SMBus protocol, and thus fails to anticipate the independent claims.

While Applicant notes that the SMBus host controller is recited in the preamble, Applicant submits that the preamble for claim 1 has patentable weight for at least the same reasons discussed in the final office action response. Applicant further notes that the SMBus interface is positively recited in the body of the claim, and therefore also has patentable weight.

Applicant also reasserts the arguments made in the final office action response with respect to the 'microcode' limitation. With respect to the Examiner's statement that "Applicant seems to agree on the fact presented by the Examiner that high level language compiled eventually results into microcode", Applicant notes that he does not agree with the Examiner on this point. As stated in the previously attached Wikipedia entry, a microprogram (often referred to as microcode) implements a CPU instruction set. Thus, it is not correct to say that high level language compiled eventually results in microcode. Thus, for at least this reason as well as previously given reasons, Applicant submits that Luke fails to teach or suggest "a memory storing microcode" as recited in the independent claims.

Furthermore, Luke provides no teaching or suggestion that registers 66 are configured to identify a starting address of a microcode program, and thus **does not teach**

or suggest “a register configured to identify a starting address of a program in said memory” as recited in claim 1, and similarly recited in the other independent claims.

With regard to the § 103(a) rejections, Applicant notes that Luke is the primary reference for each. Thus, for at least the reasons stated above as well as in the previous office action responses, Applicant submits that the cited references, taken singly or in combination, fail to teach or suggest all of the elements of the independent claims, as none of the secondary references remedy the deficiencies of Luke noted above. Accordingly, removal of the 35 U.S.C. § 103(a) rejection is respectfully requested.

Patentability of the Added Claim:

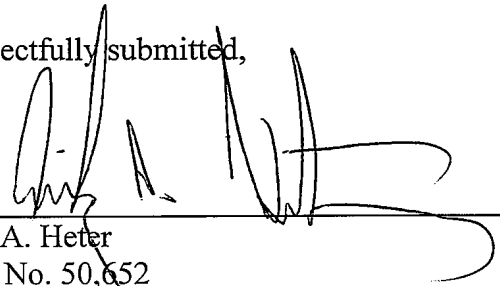
The present amendment adds claim 96, which depends from claim 91. Applicant submits that no new matter has been added, and that claim 96 is supported in the application by, e.g., Fig. 23, 202, and its associated description in the specification. Applicant submits that claim 96 is allowable for at least the same reasons as those given above with respect to claim 1.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500-92201/EAH.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erik A. Heter', is written over a horizontal line.

Erik A. Heter
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AGENT FOR APPLICANT(S)

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